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In Re Application of:

Carlo M. Croce

Application No.: 09/357,675

Filing Date: July 20, 1999

For: Nitrilase Homologs

DISK TO STIC



DATE:

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JAN 20 2004

TECH CENTER 1600/2900

Confirmation No.: 9577

Group Art Unit: 1632

Examiner: Scott David Priebe

EXPRESS MAIL LABEL NO: EV 160092130 US

DATE OF DEPOSIT: January 12, 2004

EV160092130US

Mail Stop ☒ AF
☐ ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT
TO 37 CFR § 1.114**

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the
above-identified application.

1. Submission required under 37 CFR § 1.114

☐ Previously submitted

☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously
filed on . (Any unentered amendment(s) referred to above will
be entered).

☐ Consider the arguments in the Appeal Brief or Reply Brief previously
filed on .

☐ Other: .

☒ Enclosed

- ☒ Amendment/Reply under 37 CFR § 1.116
- ☐ Affidavit(s)/Declaration(s)
- ☒ Information Disclosure Statement (IDS)
- ☒ Other: 15 pages of Substitute Sequence Listing, Computer Readable Form on diskette; Statement to Support Filing and Submission in Accordance with 37 CFR 1.821 through 1.825

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR § 1.17(i) required)

FEE CALCULATION:

				SMALL ENTITY		NOT SMALL ENTITY	
<input checked="" type="checkbox"/> RCE BASIC FILING FEE				\$385.00	\$385.00	\$770.00	\$
	CLAIMS REMAINING AFTER RCE	HIGHEST NO. PAID FOR	EXTRA				
TOTAL CLAIMS	8	16	0	\$9 EACH	\$0.00	\$18 EACH	\$
INDEP. CLAIMS	5	10	0	\$43 EACH	\$0.00	\$86 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$0.00	\$290	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$0.00	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$0.00	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$0.00	\$950	\$
<input checked="" type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$470.00	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME (May only be taken when filing RCE in lieu of Appeal Brief)				\$1005	\$0.00	\$2010	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$0.00)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$0.00	\$110	\$
TOTAL FEE DUE					\$855.00		\$

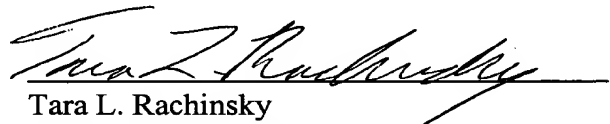
- ☒ A check in the amount of **\$855.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of \$ _____.00. This sheet is attached in duplicate.
- ☐ A response to the _____ dated _____ was due on _____. Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from _____

to and through _____ comprising an extension of the shortened statutory period of _____ month(s).

- ☒ A Notice of Appeal was filed and received by the Patent Office on July 11, 2003. An Appeal Brief is due on January 11, 2004. Applicants are filing this Request for Continued Examination in lieu of this Appeal Brief. Petition is hereby made to extend the time period from September 11, 2003 to and through January 11, 2004 comprising an extension of the shortened statutory period of four (4) month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☒ The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: January 12, 2004


Tara L. Rachinsky
Registration No. 47,875

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DOCKET NO.: TJU-2510
Application No.: 09/357,675
Office Action Dated: January 13, 2003

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Carlo M. Croce

Confirmation No.: **9577**

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Sir:

REPLY PURSUANT TO 37 CFR § 1.116

Further to the Notice of Appeal filed on July 11, 2003, and responsive to the Office Action dated January 13, 2003, please enter this Amendment and accompanying remarks. Also filed herewith is a Request for Continued Examination (RCE) and the associated fee. A petition for an extension of time for four (4) months through January 11, 2004, and the appropriate fee, accompany this response.

- ☒ **Amendments to the Specification** begin on page 2 of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of the claims which begins on page 3 of this paper.
- ☐ **Amendments to the Drawings** begin on page _____ of this paper and include an attached replacement sheet.
- ☒ **Remarks/Arguments** begin on page 4 of this paper.

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